

EXHIBIT A

<p>1 A. I remember sometimes I made for \$200, sometimes 2 I made them for \$300, but I don't recall exactly. I 3 mean, maybe looking at them. But I don't recall the 4 exact amounts that I would pay, no.</p> <p>5 Q. Did anyone ever make any payments on your 6 Inspirion computer on your behalf?</p> <p>7 A. Yes.</p> <p>8 Q. Who would have done that?</p> <p>9 A. My parents.</p> <p>10 Q. Do you recall how often they would have done 11 that?</p> <p>12 A. No, I don't. I know it was a couple of times, 13 but not -- not often. Obviously it was sometimes in 14 front of me, you know, giving them the money and I'd say 15 make me a check because I didn't want to go to get the 16 postal money order and pay extra money.</p> <p>17 Q. Okay. So your parents would have written a 18 check to Dell Financial Services?</p> <p>19 A. Yes.</p> <p>20 Q. And that happened once or twice?</p> <p>21 A. Yes.</p> <p>22 Q. Anyone other than your parents make any 23 payments on your behalf on the computer?</p> <p>24 A. No.</p> <p>25 Q. Do you know whether your parents maintain any</p> <p style="text-align: right;">34</p>	<p>1 A. Yes.</p> <p>2 Q. And how did you obtain that balance?</p> <p>3 A. Over the phone.</p> <p>4 Q. Did you speak with somebody, or was it a 5 recorded message?</p> <p>6 A. No, no. I spoke with somebody.</p> <p>7 Q. Did you ever get any names of persons with whom 8 you spoke?</p> <p>9 A. No, I did not.</p> <p>10 Q. In order to determine what your payoff balance 11 was, you would have called the same number on the 12 invoice?</p> <p>13 A. Yes.</p> <p>14 Q. Do you recall ever making any payments on your 15 Dell computer late?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know if that happened more than once?</p> <p>18 A. I think so, yes.</p> <p>19 Q. Is it your understanding that you owed late 20 fees as a result of making payments untimely?</p> <p>21 A. Yes, of course.</p> <p>22 Q. And is it your understanding that you paid the 23 late fees in addition to the amounts owing?</p> <p>24 A. Yes.</p> <p>25 Q. Do you recall the approximate date that you</p> <p style="text-align: right;">36</p>
<p>1 proof of payment on your Dell computer?</p> <p>2 A. No.</p> <p>3 Q. You don't know?</p> <p>4 A. I've asked. No.</p> <p>5 Q. They don't have it?</p> <p>6 A. No.</p> <p>7 Q. Do you recall receiving these invoices such as 8 the one that's Bates numbered DT 0007 by email?</p> <p>9 A. Never.</p> <p>10 Q. You never did?</p> <p>11 A. No.</p> <p>12 Q. Did you ever check online to determine the 13 outstanding balance on your computer?</p> <p>14 A. Not that I recall.</p> <p>15 Q. Were you aware that the principal balance on 16 your computer was not the total payoff balance?</p> <p>17 A. Yes.</p> <p>18 Q. How did you know that?</p> <p>19 A. Because I have other -- other loans and I know 20 there is a principal and I know there is -- there is a 21 principal balance and I know there is a payoff balance.</p> <p>22 Q. And it's your understanding that you paid off 23 the entire balance on your --</p> <p>24 A. Yes.</p> <p>25 Q. -- computer?</p> <p style="text-align: right;">35</p>	<p>1 believe you paid off the entire payoff balance on your 2 Dell computer?</p> <p>3 A. I think it was about 2003. 2003, almost in 4 2004. I can't give you a specific date.</p> <p>5 Q. Did you ever receive anything from Dell or Dell 6 Financial Services that you recall that indicated that 7 you had paid your computer off in full?</p> <p>8 A. No.</p> <p>9 Q. How about from CIT? Did they send you anything 10 indicating --</p> <p>11 A. CIT?</p> <p>12 Q. CIT Bank that you --</p> <p>13 A. Citibank?</p> <p>14 Q. CIT.</p> <p>15 A. Oh, I don't -- no, I haven't -- I didn't 16 receive anything.</p> <p>17 Q. You didn't receive anything from anybody 18 that --</p> <p>19 A. No.</p> <p>20 Q. -- indicated that your computer was paid off in 21 full?</p> <p>22 A. No.</p> <p>23 Q. You just determined what the outstanding 24 balance was and you --</p> <p>25 A. Over the phone.</p> <p style="text-align: right;">37</p>

<p>1 Q. You made a payment on it?</p> <p>2 A. Yes.</p> <p>3 Q. Was it your understanding that the total amount</p> <p>4 financed on the loan agreement was \$1,412 on your</p> <p>5 computer?</p> <p>6 A. Yes. At the time, yes.</p> <p>7 Q. Do you recall the total amount that you</p> <p>8 actually paid with respect to your computer on this</p> <p>9 financing?</p> <p>10 A. The end balance?</p> <p>11 Q. Yes.</p> <p>12 A. I don't remember the exact amount.</p> <p>13 Q. Do you recall paying \$2,209.44 in total?</p> <p>14 A. I don't recall that. I mean, I -- I don't</p> <p>15 recall how much I paid. I know when they told me on the</p> <p>16 phone this is the last payment, I paid it, and that was</p> <p>17 it.</p> <p>18 Q. So you don't recall the total amount that you</p> <p>19 paid?</p> <p>20 A. No, I don't, no. I don't recall how much I</p> <p>21 paid.</p> <p>22 Q. And you don't have any documentation indicating</p> <p>23 how much you paid?</p> <p>24 A. I do not.</p> <p>25 Q. Do you recall ever receiving notices from Dell</p> <p style="text-align: right;">38</p>	<p>1 situations, and embarrassment that I had recently coming</p> <p>2 to my parents' house.</p> <p>3 You know, my parents got all scared because</p> <p>4 they got this letter from -- from a lawyer, and my</p> <p>5 parents didn't know it was -- you know, some sheriff just</p> <p>6 shows up at your residence showing a lawsuit. So they</p> <p>7 know that this -- they know I'm pursuing this based on</p> <p>8 all those -- all those problems that I've been having.</p> <p>9 Q. Aside from the sheriff showing up with a</p> <p>10 summons for the lawsuit, are you aware of any other -- or</p> <p>11 are you aware of any mail or paperwork that your parents</p> <p>12 received --</p> <p>13 A. No.</p> <p>14 Q. -- from --</p> <p>15 A. Sorry.</p> <p>16 Q. That's okay.</p> <p>17 A. Because I thought you had already said that.</p> <p>18 I'm sorry.</p> <p>19 Q. -- from or on behalf of Dell Financial Services</p> <p>20 with respect to the Inspiron computer?</p> <p>21 A. No.</p> <p>22 Q. What do your parents do with the mail that they</p> <p>23 receive addressed to you?</p> <p>24 MR. WEAVER: Calls for speculation.</p> <p>25 BY MS. WEGNER:</p> <p style="text-align: right;">40</p>
<p>1 Financial Services and/or Dell that there were payments</p> <p>2 owing on your computer after August of 2003?</p> <p>3 A. No.</p> <p>4 Q. Did you make any phone calls to Dell Financial</p> <p>5 Services or Dell with respect to the Inspiron computer</p> <p>6 that you financed after August of 2003?</p> <p>7 A. No.</p> <p>8 Q. Did your parents ever talk with you about mail</p> <p>9 that they received from Dell Financial Services addressed</p> <p>10 to you on or after August of 2003?</p> <p>11 A. They didn't know it was from Dell, and neither</p> <p>12 did I, but we received -- that has nothing to do with</p> <p>13 this.</p> <p>14 MR. WEAVER: Other than the summons.</p> <p>15 BY MS. WEGNER:</p> <p>16 Q. Well, can you answer my question?</p> <p>17 A. Okay. No.</p> <p>18 Q. Tell me, have you had any discussions with your</p> <p>19 parents in the last six months about your lawsuit against</p> <p>20 Dell Financial Services?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. What have you discussed with them?</p> <p>23 A. I've discussed that -- that I've had problems</p> <p>24 with -- credit problems because of this situation, and</p> <p>25 I've discussed that I have hired a lawyer for these</p> <p style="text-align: right;">39</p>	<p>1 Q. Do you know? You can answer.</p> <p>2 A. No, I -- I really don't know.</p> <p>3 Q. Do your parents have a practice of gathering up</p> <p>4 all the mail that you receive and either mailing it to</p> <p>5 you or giving it to you when they see you?</p> <p>6 A. Most of the times, yes. Most of the times they</p> <p>7 give me all the mail that is -- at least if it's not junk</p> <p>8 mail. You know, they don't give me anything from Vons or</p> <p>9 Ralphs or stuff like that, no.</p> <p>10 Q. So you leave it to your parents' discretion to</p> <p>11 determine what's junk mail that's addressed to you to</p> <p>12 dispose of?</p> <p>13 A. They basically know what's important and what's</p> <p>14 not.</p> <p>15 Q. Do they open your mail?</p> <p>16 A. Sometimes, if they have authority by me.</p> <p>17 Q. Have you had any discussions with your parents</p> <p>18 with respect to their receipt of the monthly invoices</p> <p>19 from Dell Financial Services?</p> <p>20 A. Would you repeat the question?</p> <p>21 Q. Sure. Did you ever talk with your parents</p> <p>22 about their recollection of receiving monthly invoices</p> <p>23 from Dell Financial Services on your computer?</p> <p>24 A. No.</p> <p>25 MR. WEAVER: Vague as to time.</p> <p style="text-align: right;">41</p>

<p>1 A. No.</p> <p>2 Q. Do you know whether your parents received any</p> <p>3 phone calls with respect to your loan after August of</p> <p>4 2003 from Dell financial?</p> <p>5 A. Not that I believe so.</p> <p>6 Q. Aside from the summons and complaint that</p> <p>7 you've testified to today, are you aware of any other</p> <p>8 documentation that was delivered to the Port Renwick</p> <p>9 address after August of 2003 relating to your loan with</p> <p>10 Dell Financial Services?</p> <p>11 A. Not that I'm aware.</p> <p>12 Q. Are you aware of any other documentation</p> <p>13 delivered to any other address, either yours in Mexico or</p> <p>14 any others your parents may have maintained after August</p> <p>15 of 2003 relating to your loan with respect to --</p> <p>16 A. No.</p> <p>17 Q. -- the Inspiron computer?</p> <p>18 A. Not that --</p> <p>19 Q. Okay. So after the first you heard from anyone</p> <p>20 about your loan with Dell Financial Services, after you</p> <p>21 believe you'd paid it off, in or around August of 2003,</p> <p>22 the first you heard again about it was when you received</p> <p>23 the summons and complaint that you testified to</p> <p>24 previously. Is that correct?</p> <p>25 A. That is correct.</p> <p style="text-align: right;">90</p>	<p>1 Q. But the same day that they were served --</p> <p>2 A. Actually, no, it was not the same day. It was</p> <p>3 maybe like a week later. I was traveling and my parents</p> <p>4 couldn't get ahold of me. I don't know if it was a week,</p> <p>5 but maybe five days, somewhere around there.</p> <p>6 Q. Let's see. I thought we marked the -- well,</p> <p>7 that's fine.</p> <p>8 So it was about a week after -- within about a</p> <p>9 week after your parents.</p> <p>10 A. Within, around, yes.</p> <p>11 Q. I guess I was kind of curious why you decided</p> <p>12 to finance this computer instead of pay for it in full</p> <p>13 when you purchased it.</p> <p>14 A. It was just an option.</p> <p>15 Q. Okay. Do you recall what the interest rate was</p> <p>16 for the --</p> <p>17 A. I don't recall, but I was seeing it right here.</p> <p>18 Q. We will take a look at page 2 of Exhibit 2. We</p> <p>19 see the annual percentage rate there in the middle of the</p> <p>20 page?</p> <p>21 A. 23.99.</p> <p>22 Q. Does that ring a bell?</p> <p>23 A. I believe so.</p> <p>24 Q. Take a look at Exhibit 5, which is your</p> <p>25 Responses to Dell's Request for Admissions, and you were</p> <p style="text-align: right;">92</p>
<p>1 MS. WEGNER: Okay. I don't have any further</p> <p>2 questions.</p> <p>3</p> <p>4 EXAMINATION</p> <p>5 BY MR. TOPOR:</p> <p>6 Q. Good afternoon, Mr. Tourgeman.</p> <p>7 A. How are you doing?</p> <p>8 Q. I'm fine, Mr. Tourgeman. Again, my name is</p> <p>9 Jeff Topor and I represent Collins Financial Services and</p> <p>10 Nelson & Kennard. I've got some follow-up questions and</p> <p>11 I also have some questions about a few other things that</p> <p>12 were not discussed yet this morning.</p> <p>13 When did you first receive the summons and</p> <p>14 complaint that was apparently delivered to your parents'</p> <p>15 home?</p> <p>16 A. The day of the letter.</p> <p>17 Q. The day of which letter?</p> <p>18 A. The day the sheriff arrived at my parents'</p> <p>19 house.</p> <p>20 Q. So you were there when --</p> <p>21 A. I was not there, no.</p> <p>22 Q. Okay. But you were not there when the</p> <p>23 documents were served. Is that what you're saying?</p> <p>24 A. I was not there when the documents were served.</p> <p>25 No, I was not there.</p> <p style="text-align: right;">91</p>	<p>1 asked about your response to Request For Admission</p> <p>2 Number 3.</p> <p>3 A. Where is this at?</p> <p>4 Q. It's at the bottom of page 3 of Exhibit 5.</p> <p>5 A. Bottom of page 3.</p> <p>6 Q. Do you remember -- this is where we were asking</p> <p>7 about this request for admission and your response.</p> <p>8 A. Request for admission.</p> <p>9 MR. WEAVER: Do you remember being asked that</p> <p>10 question?</p> <p>11 THE WITNESS: Yes.</p> <p>12 BY MR. TOPOR:</p> <p>13 Q. Okay. And it asked you to admit that you</p> <p>14 didn't pay the entire balance of the loan on or before</p> <p>15 December 26, 2003. Right?</p> <p>16 A. There it is, this question again. Like I said,</p> <p>17 I've paid -- I paid my balance. I paid the whole thing.</p> <p>18 Q. Right. No, I understand that. I'm just trying</p> <p>19 to find out -- you deny -- you said you were without</p> <p>20 sufficient information to form a belief as to the --</p> <p>21 actually, strike this. I think I understand now. I</p> <p>22 apologize.</p> <p>23 You were discussing an American Express card</p> <p>24 that you applied for online that was denied, and you said</p> <p>25 you submitted that application, you thought, about two</p> <p style="text-align: right;">93</p>